

APPLICANT(S): COHEN, Amit, et al.
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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims **1, 4, 5, and 7-21** are pending in the application.

Claims **1-20** have been rejected.

Claims **1, 6, 17, and 18** have been amended.

Claim **21** has been newly added in this submission.

Claims **2, 3, and 6** have been canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicants reserve all rights in these claims to file divisional and/or continuation patent applications.

Personal Interview

Initially, Applicants wish to thank Examiner Fan Zhang and Supervisory Examiner, Mark K. Zimmerman, for granting and conducting the personal interview, with Applicants' Representative, Guy Yonay, Reg. No. 52,388 on November 17, 2008. In the interview, claim 1 was discussed, as were the cited references. It was agreed that upon further specificity in the claims, the rejection of claim 1 would be favorably re-evaluated.

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CLAIM REJECTIONS

35 U.S.C. § 101 Rejections

In the Office Action, the Examiner rejected claims 1-16, 19, and 20 under 35 U.S.C. § 101, as being unpatentable for being directed to non-statutory subject matter. For at least the following reasons, Applicants respectfully traverse the rejection.

In particular, the Examiner stated that the methods of the pending claims are not tied to another statutory class, nor transform underlying subject matter to a different state or thing. Initially, Applicants point out that the method of claim 1 recites “creating an output document based on an input document,” which is certainly subject matter that is transformed. In particular, the input document, including a particular arrangement of graphic elements having z-axis values is transformed into an output document having different elements with different z-axis values.

In any event, Applicants respectfully point out that the amendments to claim 1 have rendered this rejection moot. Claim 1 now recites a step of “producing an output document in which at least one single composite element respectively replaces at least two said elements in the input document.”

In addition, claim 1 has been amended to clarify that it recites a “method of using a processor” to create the output document, and furthermore, that the input and output documents are electronically readable documents.

Therefore, claim 1 does at least identify an apparatus that accomplishes the method steps, and recite the subject matter that is being transformed. Accordingly, claim 1 is allowable under Section 101.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 1, 2, 8-11, and 14-20 under 35 U.S.C. § 103(a), as being unpatentable over Burch (US Patent No. 6,088,708) in view of Aizikowitz (US Patent No. 6,476,931). For at least the following reasons, Applicants respectfully traverse the rejection.

The Burch reference relates to arranging groups into overlapping groups in a display as follows:

Each overlap group is bound by a rectangle (perimeter) and contains objects that, as a group, overlap each other while each overlap group does not overlap any other overlap group. Thus, the page is divided into distinct regions within each non-overlapping rectangle that contain the objects as laid out on the page. The boundaries of each rectangle provides the location for horizontal and vertical lines. These lines define rows and columns of a framework. The intersection of each row and column is a cell, used as a cell in the table representing the page. . . (Abstract)

However, the Examiner has agreed that the Burch reference does not teach or disclose of altering z-axis values of elements, and specifically, “if creating said composite element is desirable, creating at least one composite element in said output document to represent said at least two elements in said input document” and “if creating said composite element is not desirable, and if said at least two elements do not overlap, altering z-axis values of said at least two elements”.

The Aizikowitz reference discloses:

[a] method of generating a printer-ready representation of a page from a collection page elements and a first set of page assembly instructions, when a portion of the page assembly instructions refer to the page elements, includes the steps of comparing the first set with at least one previously stored set of page assembly instructions, assembling the collection and the first set in accordance with the result of the step of comparing, thereby generating the printer-ready representation of the page, and storing the first set and the printer-ready representation.
(Abstract)

The Aizikowitz reference likewise does not teach or disclose of altering z-axis values of elements, and specifically, “if creating said composite element is desirable, creating at least one composite element in said output document to represent said at least two elements in said input document” and “if creating said composite element is not desirable, and if said at least two elements do not overlap, altering z-axis values of said at least two elements”.

Nor would altering z-axis values as recited in claim 1 have been obvious to one of ordinary skill in the art based on the Aizikowitz and Burch references. Accordingly, claim 1 is allowable over the cited reference, as are claims 1, 4, 5, 7-16, and 19-21, which depend from claim 1. Claims 17 and 18 are allowable for similar reasons.

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In addition to the above, neither Aizikowitz nor Burch reference disclose an iterative process, and therefore, do not teach or disclose claim 21, which recites the method of claim 1 further comprising "repeating steps (a), (b) and (c)."

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,

/Guy Yonay/

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